



NORTHWEST POWER NORTHWEST VALUES

Job Title & Series:

Attorney-Advisor, GS-905

Job Announcement Number:

9830-12-OGC

Grade & Salary Range:

GS-11: \$60,520 - \$78,674

GS-12: \$72,540 - \$94,300

Full performance level: GS-14. May be filled at any level above.

Opens: 02/15/2012

Closes: 02/29/2012

(Applications must be received by 11:59 p.m. Pacific Time)

Anticipated number of positions to be filled: One position to be filled.

Location: Portland, OR

Federal transfer relocation is not available for this position.

Type of Position: This is a Permanent position with a full-time work schedule.

Benefits: BPA offers a comprehensive benefits package. <http://www.jobs.bpa.gov/Benefits/>

NOTE: This is a recruitment notice to solicit applications for an excepted service appointment

This is an Excepted Service position. If you are currently serving in a permanent, competitive service appointment in the Federal service, and are selected for this position, the appointment will remove you from the competitive service while you occupy the position. If selected, you will be required to provide a written statement prior to entry on duty confirming that you understand the conditions of accepting an Excepted Service appointment.

Eligibility

All United States citizens are eligible to apply.

About BPA

The Bonneville Power Administration has been powering people and careers for nearly 75 years. We are a non-profit federal agency that provides clean, emissions-free electricity to the Pacific Northwest and maintains a high voltage transmission system to deliver that electricity. We are a leader in sustainability and environmental stewardship, promoting energy efficiency, renewable energy, the smart grid, fish and wildlife protection and initiatives to address climate change. We are a visionary and innovative agency that values diversity and creativity and encourages continuous learning. We are located throughout the Pacific Northwest with opportunities in cities, smaller communities and rural areas. You can learn more about BPA at www.bpa.gov.

Job Summary & Major Duties

This position will provide legal strategy and advice to Bonneville staff, managers, and executives on federal and state-equivalent environmental statutes and implementing regulations to support the agency's transmission and power programs, including its fish and wildlife mitigation programs.

The individual selected will work independently, but with guidance and assistance from other attorneys who specialize in federal and state environmental statutes and regulations, advising on a full range of environmental issues as they pertain to the agency's projects, programs and policies, including BPA's programs to mitigate fish and wildlife impacts or effects.

The individual selected will work with various agency staff in BPA's Transmission, Power and Environment, Fish & Wildlife organizations who are involved in BPA projects, programs and policies that implicate or raise issues covered by various environmental laws. The individual selected may also work with federal or state agencies as well as other external stakeholders including customers, developers, tribes, environmental groups and the general public.

The individual may be required to work with their counterparts at the Department of Energy (DOE).

Corporate and Fish & Wildlife (LC) provides the Administrator/Chief Executive Officer (CEO), agency Vice Presidents and agency staff in Power Services, Transmission Services, and Shared Functions organizations with legal advice and risk assessment, negotiation and alternative dispute resolution, and represents the agency in all areas of litigation before the courts or administrative and regulatory proceedings covering a broad range of

subject matters. This function handles the Columbia River Treaty and agreements permitting BPA to use additional Canadian storage, governance and delegations, contracts for and protests of the procurement of goods and services including intellectual property issues, torts claims, Freedom of Information Act/Privacy Act requests, employee property damage claims, ethics including conflicts of interests and financial disclosure, human capital issues including labor issues, both negotiations and disputes, disciplinary actions and requests for reasonable accommodations, and Equal Employment Opportunity claims, copyright and patent issues, physical and computer security processes and procedures.

In addition, this section advises on and provides other legal representation in environmental issues and policies including BPA's fish and wildlife obligations under the Northwest Power Act and Endangered Species Act, environmental compliance under the National Environmental Policy Act, cultural resources obligations, and obligations arising under the Hazardous Waste Act, including Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Additionally, the staff advises on and provides other legal representation in the review of BPA's budget, risk management, and also drafts and negotiates other financial instruments including documents related to Energy Northwest and documents in support of bonds related to debt or financing of resource acquisitions, refinancing of such bonds, letters of credit and other financial swaps and issues relating to BPA's authority to issue bonds to the U.S. Treasury (or to the general public as authorized by law), and its authority to incur obligations.

Qualifications

SPECIALIZED EXPERIENCE

GS-11:

- Applicant assisted others in researching, managing documents, or drafting portions of documents used to provide strategies or document environmental compliance; **and**
- Applicant assisted in research, document management or drafting portions of documents for use in litigation related to challenges filed under federal or state environmental statutes or regulations.

GS-12:

- Experience working with applicable federal laws, regulations, guidelines and procedures demonstrating a limited experience but some familiarity with Federal environmental laws or their equivalent state laws and regulations; **and**
- Experience litigating challenges to environmental coverage provided by federal environmental statutes and regulations, or equivalent state statutes demonstrating a limited experience but some familiarity with challenges involving jurisdictional issues such as standing or finality; and challenges involving the adequacy of the administrative record or the sufficiency of the discussion supporting the agency's decision.

In order to be rated as meeting the minimum qualifications, we must be able to determine from your application package (includes resume, cover letter, and/or other supporting material you choose to submit) that you have a minimum of **one year** of the specialized experience requirement described above. *Applicants who have qualifying experience performed on less than a full-time basis must specify the percentage and length of time spent in performance of such duties.*

EDUCATION

To be rated as qualified for this position, college transcripts are required.

Applicants must hold a JD degree and active membership in a State Bar or the District of Columbia.

KNOWLEDGE, SKILLS, AND ABILITIES

Your application materials will be reviewed against the knowledge, skills and abilities (KSAs) listed below to determine your category rating: Best Qualified, Highly Qualified, or Qualified. Within these categories, applicants eligible for veteran's preference will receive selection priority.

Please describe your experience and thoroughly address the statements below within your resume, cover letter, and/or other supporting material you choose to submit. Work product examples will not be reviewed unless specifically requested. **Clearly articulating your work experience to determine the application of this knowledge, these skills or abilities through performance is critical to determining your qualifications for this position.** For more information on how to provide supporting information for KSAs, please visit

http://jobs.bpa.gov/How_To_Apply/ksa.cfm.

1. **Knowledge of federal or state environmental statutes and their implementing regulations, guidelines and procedures as they relate to BPA's programs.** Your application materials should demonstrate experience:
 - Developing or assisting in developing legal strategies for environmental compliance for various actions and decisions of a federal or state agency, including, but not limited to, Endangered Species Act (ESA), National Environmental Policies Act (NEPA), Clean Water Act, Clean Air Act, National Historic Preservation Act, Resource Conservation and Recovery Act, and Comprehensive Environmental Response, Compensation, and Liability Act; or knowledge of BPA's Fish and Wildlife program, obligations, and responsibilities under the Northwest Power Act.
 - Preparing or reviewing various types of environmental documents including but not limited to ESA documents, such as Biological Opinions and associated Records of Decisions; NEPA documents, such as Environmental Impact Statements and associated Records of Decisions, Environmental Assessments and associated Findings of No Significant Impacts; or other environmentally related documents;
 - Preparing responses to public comments on various environmental issues; and
 - Working with other agencies to propose or prepare various solutions or decisions related to environmental issues.
2. **Knowledge of laws, statutes, regulations and procedures related to experience in litigation involving federal, state or local government environmental compliance with federal or state equivalent environmental statutes.** Your application materials should:
 - Demonstrate experience litigating challenges to environmental coverage provided by ESA, NEPA, Clean Water Act, Clean Air Act, National Historic Preservation Act, Resource Conservation and Recovery Act, and Comprehensive Environmental Response, Compensation, and Liability Act, including challenges involving jurisdictional issues such as standing or finality;
 - Demonstrate experience litigating challenges involving the adequacy of the administrative record or the sufficiency of the discussion supporting the agency's decision; and
 - Identify the forums in which the challenge was resolved, e.g., the courts, administrative forums, or alternative dispute forum.
3. **Ability to multi-task and maintain flexibility under changing conditions.** Your application materials should demonstrate experience providing legal advice on concurrent legal problems, issues, contracts, cases or projects, including, negotiating agreements, drafting and reviewing agreements, conducting research, or preparing witnesses or documents for litigation.
4. **Ability to work effectively on a team which supports effective interpersonal relationships and communication with a wide variety of personnel within the Agency.** Your application materials should:
 - Demonstrate your experience working on a team within an organization;
 - Describe the team's mission or function, the team's membership and your role within the team in general; and
 - Describe how you dealt with opposing and divergent viewpoints, and used collaborative skills to reach desired outcomes.

ADDITIONAL REQUIREMENTS

- Pre-Appointment Background Investigation is required.
- **Membership in a STATE BAR OR THE DISTRICT OF COLUMBIA BAR is required.** You must provide proof of bar membership (or intent to sit for a bar exam if a third year law student or recent graduate) to receive consideration. An entry-level attorney (GS-11/12) must graduate no later than June 2012, and take the next available bar exam. If selected, a recent graduate will be hired on a temporary appointment as a law clerk pending bar admission. The graduate will be given two opportunities to gain admission to the bar by sitting for consecutive bar exams.
- A legal writing sample (**no more than 20 pages**) must be submitted along with your application.
- **Confidential Financial Disclosure:** Selectee will be required to complete the Office of Government Ethics Standard Confidential Financial Disclosure Report (OGE450e) within 30 days of employment and annually.

SECURITY & SUITABILITY

The sensitivity level of this position is designated as 'Low Risk – Nonsensitive', which requires that the selectee pass a National Agency Check with Inquiries (NACI) personnel investigation and receive a favorable suitability determination. For more information please visit: http://jobs.bpa.gov/How_To_Apply/faqs.cfm#18

APPLICATION PACKAGE CHECKLIST:

- ☐ Resume, cover letter, and/or other supporting material you choose to submit that fully describe your education and experience. Application must contain sufficient information to determine eligibility for the position. (Optional Application for Federal Employment (OF-612): <http://www.usajobs.opm.gov/of612.asp>.)
Applications must include the following information:
 - Job Announcement number, title, and grade
 - Full legal name, mailing address, contact telephone number and email address
 - Country of citizenship (SSN or other ID is not requested at this time)
 - High school attended which includes name of high school and location.
 - Employment history including unpaid positions with job title, grade (if Federal), duties and accomplishments, employer's name and address, supervisor's name and phone number, starting and ending dates (month and year), salary, and hours worked per week. Explain any gaps in employment.
 - Indication if we may contact your current supervisor.
 - List of other job-related training, skills, certificates and licenses, recognition, professional memberships, publications, leadership activities, or other relevant information.
 - Grade level(s) for which you are applying.
- ☐ College transcripts (photocopies are acceptable) for positions with education requirements.
- ☐ A legal writing sample. (**Limited to 20 pages**)
- ☐ VETERANS: To be considered for veteran's preference, a copy of your DD-214 (Member 4) is required. 10-point veterans must also provide a copy of their SF-15 and associated documentation.
- ☐ All applicants are encouraged to complete and submit the attached Applicant Source and Ethnicity and Race forms.

How to Submit Your Application

Applications may be emailed, faxed or mailed. Due to security requirements, we only accept hand-delivered application from individuals who currently have badge access to the building.

- **Email to:** jobs@bpa.gov with the Job Announcement Number in the subject line and on any attachments.
- **Fax to:** 503-230-3149
- **Send via US Mail to:** Bonneville Power Administration, ATTN: Human Capital Management, NHQ-1, PO Box 3621, Portland, OR 97208-3621.

You will be notified via email to confirm receipt of your application package. *Applicants should retain a copy of their application as BPA does not return applications or provide copies.* For more information on the hiring process, please refer to: http://jobs.bpa.gov/How_To_Apply/whathappens.cfm.

Additional Information

Veterans Information: <http://www.usajobs.gov/vi>

Career Transition Assistance Program/Interagency Career Transition Assistance Program

(CTAP/ICTAP): Federal employees seeking CTAP/ICTAP eligibility must submit proof that they meet the requirements of 5 CFR 330.605 (a) for CTAP and 5 CFR 330.704 for ICTAP. This includes a copy of the agency notice, a copy of their most recent Performance Rating and a copy of their most recent SF-50 noting current position, grade level, and duty location. **Please annotate your application to reflect that you are applying as a CTAP or ICTAP eligible.** For additional information please refer to <http://www.opm.gov/ctap/>

EEO Policy Statement: <http://www.usajobs.gov/eeo>

Reasonable Accommodation Policy Statement: <http://www.usajobs.gov/raps>

Legal and Regulatory Guidance: <http://www.usajobs.gov/lrg>

Forms Availability: All application materials may be obtained by calling 503-230-3230, or 1-877-975-4272 or visiting: <http://www.jobs.bpa.gov>.

Applicant Source Form

The Bonneville Power Administration's Human Capital Management office has an ongoing process improvement objective associated with recruitment and outreach strategies. In order for us to assess the effectiveness of our current advertising and Recruitment efforts, please identify how you learned about this job by marking the appropriate box below:

Vacancy Announcement Number	Position Title, Series, Grade
<input type="text"/>	<input type="text"/>

☐ **BPA Website**

☐ **USAJOBS Website**

☐ **Job Board** (CareerBuilder, Craigslist, Employment Dept, etc.)

(please specify): _____

☐ **Industry Website or Event** (National Institute of Government Purchasers, GreenDrinks, etc.)

(please specify): _____

☐ **Social Media Website** (Facebook, LinkedIn, etc.)

(please specify): _____

☐ **Career Fair** (campus events, community event)

(please specify): _____

☐ **BPA employee**

☐ **Other (please specify):** _____

U.S. Office of Personnel Management Guide to Personnel Data Standards	ETHNICITY AND RACE IDENTIFICATION (Please read the Privacy Act Statement and instructions before completing form.)	
Name (Last, First, Middle Initial) <div style="background-color: #cccccc; width: 100px; height: 20px;"></div>		
Agency Use Only		
<p>Privacy Act Statement</p> <p>Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation.</p> <p>This information is used as necessary to plan for equal employment opportunity throughout the Federal government. It is also used by the U. S. Office of Personnel Management or employing agency maintaining the records to locate individuals for personnel research or survey response and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related workforce studies.</p>		
<p>Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.</p>		
<p>Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) <input type="checkbox"/> Yes <input type="checkbox"/> No </p>		
<p>Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.</p>		
RACIAL CATEGORY (Check as many as apply)	DEFINITION OF CATEGORY	
<input type="checkbox"/> American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.	
<input type="checkbox"/> Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.	
<input type="checkbox"/> Black or African American	A person having origins in any of the black racial groups of Africa.	
<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.	
<input type="checkbox"/> White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.	